

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 CASE NO.:

KAYLEN RENEE TAYLOR

19-12855-JDW

NOTICE OF MOTION TO DISMISS

Should any party receiving this Notice respond to the Motion, such response is required to be filed on or before July 5, 2024, with the Clerk of this Court using the CM/ECF system or at the following address:

Shallanda J. Clay, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39730

A copy of such response must be served on the Chapter 13 Trustee. If no responses are filed, the Court may consider the Motion immediately after the time for responses has expired. In the event a response is filed, the Court will notify you of the date, time, and place of the hearing.

CERTIFICATE OF SERVICE

I, the undersigned Attorney for Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to all affected creditors and their attorney if known.

Dated: June 11, 2024.

**LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE**

/s/ Melanie T. Vardaman
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
ssmith@barkley13.com

**IN THE UNITED STATES BANKRUPTCY COURT FOR
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IN THE MATTER OF:

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MOTION TO DISMISS

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the "Trustee"), by and through counsel, and files this Motion to Dismiss, and in support thereof states as follows:

1. On July 18, 2019, the Debtor initiated this proceeding with the filing of a Chapter 13 Bankruptcy Petition. The Chapter 13 plan was confirmed by Order of this Court on May 20, 2020, for a term of sixty (60) months (the "Confirmed Plan") (Dkt. #41). The plan term will be complete in July 2024.

2. The Debtor is \$680.00 delinquent in plan payments through May 2024. Plan payments continue to accrue thereafter at \$276.25 per month.

3. The Trustee alleges that the Debtor will be unable to timely complete the Confirmed Plan.

4. The Trustee requests that this case be dismissed, or in the alternative, requests the entry of an order requiring the Debtor to immediately cure the payment delinquency and timely pay all future funds necessary for completion of the Confirmed Plan.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that the Motion be received and that this Court enter its order granting the Motion and for such other, further and general relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: June 11, 2024.

Respectfully submitted,

LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE

/s/ Melanie T. Vardaman
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
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Jackson, MS 39211
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CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: June 11, 2024.

/s/ Melanie T. Vardaman
MELANIE T. VARDAMAN